

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN PAUL STECKEL,

Defendant.

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Case No. 2:17-cr-277

Chief Judge Algenon L. Marbley

OPINION & ORDER

This matter is before the Court on Defendant John Paul Steckel's Motion to Amend Sentence. (ECF No. 42). For the reasons stated below, Defendant's Motion is **GRANTED**.

Defendant was arrested on a gun charge on April 21, 2017 and pled guilty to violating 18 U.S.C. § 922(g). He was sentenced on June 21, 2018, to 48 months in Bureau of Prisons ("BOP"). (ECF No. 35). The Court directed that Defendant be given credit for pretrial custody "effective April 21, 2017, through present." (*Id.*).

Defendant filed this Motion on February 23, 2020, requesting a modification of his sentence pursuant to 18 U.S.C. 3582(c)(1)(A)(i). (ECF No. 42). He alleges the BOP deleted time credits for his pretrial custody in the amount of approximately six months and two-and-a-half weeks. (ECF No. 42 at 2). Defendant requests an order from this Court amending his sentence and clarifying he is eligible for home detention on May 17, 2020, a date which would accurately account for his pretrial credited time. (*Id.* at 3). He argues the BOP's failure to effectuate the Court's Order constitutes an extraordinary and compelling reason to amend his sentence. (*Id.*). This Court agrees. The Court instructed the Government to file a response within fourteen days on

March 25, 2020. (ECF No. 43). The Government did not file a response but indicated orally to the Court that it does not object to Mr. Steckel's Motion.

Given the clear instruction by this Court to credit Mr. Steckel for jail time served pretrial and the absence of objection from the Government, Mr. Steckel's Motion to Amend/Correct Sentence is **GRANTED** and Mr. Steckel is sentenced to 48 months minus credits for the entirety of Mr. Steckel's time in pretrial custody beginning April 21, 2017.

IT IS SO ORDERED.

/s/ Algenon L. Marbley
ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: May 14, 2020